FORM PTO-1390 (REV. 11-2000) U S DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER: 205502-9004

U.S. APPLICATION NO. (If known, see 37 CFR 1.5): 09/890604

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/CA00/00074	January 31, 2000	February 1, 1999

TITLE OF INVENTION

Modification of Lignin Composition of Gymnosperms

APPLICANT(S) FOR DO/EO/US

ELLIS, David Dunham; CHAPPLE, Clinton Charles Spencer; GILBERT, Margarita

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. [XX] This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. [ ] This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. [ ] This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. [ ] The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. [XX] A copy of the International Application as filed (35 U.S.C. 371(c)(2))
   a. [XX] is attached hereto (required only if not communicated by the International Bureau).
   b. [ ] has been communicated by the International Bureau.
   c. [ ] is not required, as the application was filed in the United States Receiving Office (RO/US).
6. [ ] An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
   a. [ ] is attached hereto.
   b. [ ] has been previously submitted under 35 U.S.C. 154(d)(4).
7. [XX] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
   a. [ ] are attached hereto (required only if not communicated by the International Bureau).
   b. [XX] have been communicated by the International Bureau.
   c. [ ] have not been made; however, the time limit for making such amendments has NOT expired.
   d. [ ] have not been made and will not be made.
8. [ ] An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. [ ] An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. [ ] An English lanugage translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. [XX] An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. [ ] An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. [XX] A FIRST preliminary amendment.
14. [ ] A SECOND or SUBSEQUENT preliminary amendment.
15. [ ] A substitute specification.
16. [ ] A change of power of attorney and/or address letter.
17. [ ] A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. [ ] A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. [ ] A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. [XX] Other items or information: **See attached sheet.**

IC17 Rec'd PCT/PTO 01 AUG 2001

U.S. APPLICATION NO. 09/890604 | INTERNATIONAL APPLICATION NO. | ATTORNEY'S DOCKET NUMBER

21. [X] The following fees are submitted:	CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):		
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO **$1000.00**		
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO **$860.00**		
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **$710.00**		
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) **$690.00**		
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) **$100.00**		
ENTER APPROPRIATE BASIC FEE AMOUNT =	$ 860.00	
Surcharge of **$130.00** for furnishing the oath or declaration later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	$	

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	$
Total claims	54 - 20 =	34	x **$18.00**	$ 612.00
Independent claims	9 - 3 =	6	x **$80.00**	$ 480.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ **$270.00**	$ 270.00
TOTAL OF ABOVE CALCULATIONS =				$ 2,222.00
[X] Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.			+	$ 1,111.00
SUBTOTAL =				$ 1,111.00
Processing fee of **$130.00** for furnishing the English translation later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				$
TOTAL NATIONAL FEE =				$ 1,111.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **$40.00** per property +				$
TOTAL FEES ENCLOSED =				$ 1,111.00
			Amount to be refunded:	$
			charged:	$

a. [XX] A check in the amount of $ 1,111.00 to cover the above fees is enclosed.

b. [ ] Please charge my Deposit Account No. _____ in the amount of $ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. [XX] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 12-0064. A duplicate copy of this sheet is enclosed.

d. [ ] Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

MICHAEL BEST & FRIEDRICH LLC
401 N. Michigan Ave., Suite 1700
Chicago, IL 60611

Lisa C. Childs
SIGNATURE

Lisa C. Childs
NAME

39937
REGISTRATION NUMBER

IN THE
UNITED STATES PATENT & TRADEMARK OFFICE 09/890604

IN RE APPLICATION OF: ELLIS, et al.	Art Group Unit:
DOCKET NO.: 205502-9004	Examiner:
Based on International Publication No. WO 00/46382 Published August 10, 2000 International Application No. PCT/CA00/00074 Filed January 31, 2000 Priority Date Claimed: February 1, 1999	FIRST PRELIMINARY AMENDMENT
FILED ON: HEREWITH	
FOR: Modification of Lignin Composition of Gymnosperms	

TO: ASSISTANT COMMISSIONER OF PATENTS
WASHINGTON, D.C. 20231

Dear Sirs:

[X] AUTHORIZATION TO PAY AND PETITION FOR THE ACCEPTANCE OF ANY NECESSARY FEES: If any charges or fees must be paid in connection with the following Communication (including but not limited to the payment of issue fees), they may be paid out of our deposit account No. 12-0064. If this payment also requires a Petition, please construe this authorization to pay as the necessary Petition which is required to accompany the payment.

[ ] Applicant herewith petitions the Commissioner of Patents and Trademarks to extend the time for response to the Office Action dated _____ for _____month(s) from _____ to _____. Submitted herewith is check No. _____ for $_____ to cover the cost of the extension. If a check is lost, or otherwise does not accompany this Petition, please charge my deposit account number 12-0064 in the appropriate amount to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above numbered deposit account.

FIRST PRELIMINARY AMENDMENT

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on:
Date: _____

Signature:_____
Print:

MICHAEL, BEST & FRIEDRICH L.L.C.
401 N. Michigan Avenue, Suite 1700
Chicago, IL 60611-2412
Telephone: (312)661-2100 Facsimile: (312) 661-0029

FIRST PRELIMINARY AMENDMENT

Please cancel claims 10 and 12.

Respectfully submitted,

Date: 8/1/01

Lisa C. Childs
Atty. Registration No. 39937
MICHAEL BEST & FRIEDRICH LLC
401 N. Michigan Avenue, Suite 1700
Chicago, IL 60611-2412
Phone: (312)661-2100
Fax: (312)661-0029

S:\CLIENT\205502\9004\C0025887

#3

IN THE
UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:	ELLIS, et al.	
CASE:	205502-9004	**RESPONSE TO:**
INT'L APPL'N NO.	PCT/CA00/00074	**NOTIFICATION OF MISSING**
INT'L FILING DATE	31 JAN 2000	**REQUIREMENTS UNDER 35 U.S.C. 371 IN THE**
U.S. SERIAL NO.:	09/890,604	**UNITED STATES DO/EO**
FILED ON:	01 AUG 2001	
FOR:	Modification of Lignin Composition of Gymnosperms	

BOX: PCT
ASSISTANT COMMISSIONER OF PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231

Dear Sirs:

[X] AUTHORIZATION TO PAY AND PETITION FOR THE ACCEPTANCE OF ANY NECESSARY FEES: If any charges or fees must be paid in connection with the following Communication (including but not limited to the payment of issue fees), they may be paid out of our deposit account No. 50-1965. If this payment also requires a Petition, please construe this authorization to pay as the necessary Petition which is required to accompany the payment.

[x] Applicant herewith petitions the Commissioner of Patents and Trademarks to extend the time for response to the Office Action dated October 2, 2001 for three (3) month(s) from December 2, 2001 to March 2, 2002. Submitted herewith is check No. 12612 which includes the $ 460.00 extension fee. If a check is lost, or otherwise does not accompany this Petition, please charge my deposit account number 50-1965 in the appropriate amount to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above numbered deposit account.

EXPRESS MAIL LABEL NO. EL 874 050 187 US

Date of Deposit March 1, 2002

I hereby certify that the above listed papers or fees are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231. The person mailing these papers/fees is:

SIGNATURE: _____
Michael A. Finnegan

MICHAEL BEST & FRIEDRICH LLC
401 North Michigan Avenue, Suite 1900
Chicago, Illinois 60611-4212
(312) 661-2100 Fax: (312) 661-0029

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DO/EO

This is in response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States DO/EO dated October 2, 2001.

Applicant hereby submits the Oath and Declaration, signed by each of the inventors, along with check number 12612 in the amount of $ 525.00 which includes the required surcharge of $ 65.00.

Accompanying this submission is Applicants' Sequence Listing in computer readable form as required underr 37 C.F.R. 1.821(e).

STATEMENT UNDER 37 C.F.R. 1.821(e-g), 1.825(b), and 1.825 (d)

Applicant hereby states that the Sequence Listing submitted hereto as Exhibit A is recorded in computer readable form, that it is identical to the Sequence Listing submitted herewith on 3.5" floppy diskette, and that it does not include new matter which goes beyond the disclosure in the International Application.

Respectfully submitted,

Lisa C. Childs 3/1/2002

Charles A. Laff
Reg. No. 19787
Lisa C. Childs
Reg. No. 39937
LAFF, WHITESEL & SARET, LTD.
401 North Michigan Avenue, Suite 1700
Chicago, IL 60611
(312) 661-2100
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Agents for Applicant

03/07/2002 MNGUYEN 00000073 09890604

01 FC:254 65.00 OP
02 FC:217 460.00 OP

S:\CLIENT\205502\9004\C0082794

PCT09

RAW SEQUENCE LISTING DATE: 03/22/2002
PATENT APPLICATION: US/09/890,604 TIME: 11:40:36

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Chapple, Clinton C S
Gilbert, Margarita
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<130> FILE REFERENCE: 41193-B
<140> CURRENT APPLICATION NUMBER: 09/890,604
C--> **<141> CURRENT FILING DATE: 2002-03-01**
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PATENT APPLICATION: **US/09/890,604** TIME: 11:40:36

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135 Ser Lys Leu Ser Asp Pro Thr Thr Ser Leu Val Ile Val Val Ser Leu
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138 ttc atc ttc atc agc ttc atc aca cgg cgg cga agg cct cca tat cct     2609
139 Phe Ile Phe Ile Ser Phe Ile Thr Arg Arg Arg Arg Pro Pro Tyr Pro
140                 30                  35                  40
142 ccc ggt cca cga ggt tgg ccc atc ata ggc aac atg tta atg atg gac     2657
143 Pro Gly Pro Arg Gly Trp Pro Ile Ile Gly Asn Met Leu Met Met Asp
144             45                  50                  55
146 caa ctc acc cac cgt ggt tta gcc aat tta gct aaa aag tat ggc gga     2705
147 Gln Leu Thr His Arg Gly Leu Ala Asn Leu Ala Lys Lys Tyr Gly Gly
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150 ttg tgc cat ctc cgc atg gga ttc ctc cat atg tac gct gtc tca tca     2753
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156 90                  95                  100                 105
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RAW SEQUENCE LISTING DATE: 03/22/2002
PATENT APPLICATION: US/09/890,604 TIME: 11:40:36

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Output Set: N:\CRF3\03222002\I890604.raw

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163 Asp Met Ala Phe Ala His Tyr Gly Pro Phe Trp Arg Gln Met Arg Lys
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175 Val Gly Lys
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181                                 Pro Ile Asn Val Gly Glu Gln Ile
182                                             175                 180
184 ttt gca ctg acc cgc aac ata act tac cgg gca gcg ttt ggg tca gcc     3202
185 Phe Ala Leu Thr Arg Asn Ile Thr Tyr Arg Ala Ala Phe Gly Ser Ala
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190             200                 205                 210
192 aag ctt ttt gga gcc ttc aac gta gcg gat ttc ata cca tat ttc ggg     3298
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197 Trp Ile Asp Pro Gln Gly Ile Asn Lys Arg Leu Val Lys Ala Arg Asn
198     230                 235                 240
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202 245                 250                 255                 260
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205 Lys Glu Asn Gln Asn Ala Val Asp Asp Gly Asp Val Val Asp Thr Asp
206                 265                 270                 275
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217 Ile Lys Ala Ile Ile Met
218     310
220 gtcatgtttc ttaatgcgtt acgtaataat acttatccat tgaccagtta ttttctccta   3646
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231                 Asp Val Met Phe Gly Gly Thr Glu Thr Val Ala Ser
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234 gcg ata gag tgg gcc tta acg gag tta tta cgg agc ccc gag gat cta   3985
235 Ala Ile Glu Trp Ala Leu Thr Glu Leu Leu Arg Ser Pro Glu Asp Leu
236             330                 335                 340
238 aaa cgg gtc caa caa gaa ctc gcc gaa gtc gtt gga ctt gac aga cga   4033
239 Lys Arg Val Gln Gln Glu Leu Ala Glu Val Val Gly Leu Asp Arg Arg
240         345                 350                 355
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244     360                 365                 370
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248 375                 380                 385                 390
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251 Thr Ala Glu Asp Thr Ser Ile Asp Gly Phe Phe Ile Pro Lys Lys Ser
252                 395                 400                 405
254 cgt gtg atg atc aac gcg ttt gcc ata gga cgc gac cca acc tct tgg   4225
255 Arg Val Met Ile Asn Ala Phe Ala Ile Gly Arg Asp Pro Thr Ser Trp
256             410                 415                 420
258 act gac ccg gac acg ttt aga cca tcg agg ttt ttg gaa ccg ggc gta   4273
259 Thr Asp Pro Asp Thr Phe Arg Pro Ser Arg Phe Leu Glu Pro Gly Val
260         425                 430                 435
262 ccg gat ttc aaa ggg agc aat ttc gag ttt ata ccg ttc ggg tcg ggt   4321
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MODIFICATION OF LIGNIN COMPOSITION OF GYMNOSPERMS

TECHNICAL FIELD

This invention relates to the modification of the lignin composition of gymnosperm species, particularly conifer trees, to make such species more suitable for commercial exploitation.

BACKGROUND ART

Lignin is a cell wall component present in vascular plants that decreases the permeability of cells, contributes to the strength and rigidity of the stem, and protects microfibrils from chemical, physical, and biological attack (Bugos et al. 1991 [4]). [*Note: for full details of references mentioned herein, see the section below headed REFERENCES, the numbers provided in square brackets corresponding to the numbers in that section.*] Despite its advantage to the plant, lignin greatly affects the agro-industrial uses of plants. Lignin content and composition alter the digestibility and dietary conversion of herbaceous crops and are undesirable in the conversion of wood into paper and pulp (Campbell and Sederoff 1996 [6]). Although lignin can contribute up to 25% of the mass of wood, from a pulp and paper viewpoint, lignin does not contribute to the usable biomass in pulping and hence is waste. More importantly, the extraction of lignin during chemical pulping is a costly and difficult process, involving chemical removal. There is a negative correlation between the amount of lignin removed and fiber yield with chemical pulping. Therefore, because the removal of lignin from fibers is a major cost, the modification of both lignin content and composition is a major focus of several research establishments world wide. Of importance is that trees with altered lignin, either decreased content or modified composition to reduce the energy needed to extract the lignin, could allocate more resources to the production of pulpable biomass with decreased costs.

Chemically, lignin is a highly complex network of phenylpropanoid units derived from the oxidative polymerization of one or more of three monolignol precursors which are the end products of the three major branches of the phenylpropanoid pathway (as shown in Figure 1 of the accompanying drawings, introduced the section below headed BRIEF DESCRIPTION OF THE DRAWINGS). As shown in the figure, branch 1 of the pathway yields the monolignol ρ-coumaryl alcohol which makes up the ρ-hydroxyphenyl residue when polymerized into lignin and is present in both angiosperms and gymnosperms. Branch 2 yields the monolignol coniferyl alcohol which makes up the guaiacyl residues when polymerized into lignin and is present in both angiosperms and gymnosperms, yet is the predominant monolignol in gymnosperms. Branch 3 yields sinapyl alcohol which makes up the syringyl residues when polymerized into lignin and is present only in angiosperms, with very few exceptions. These exceptions include reports of syringyl lignin in the gymnosperm species *Podocarpus* and in some species of the *Gnetales*. However, these exceptions are considered rare and are usually not even mentioned in reviews on lignin biosynthesis.

The presence of syringyl residues in angiosperm lignin via branch 3 in the phenylpropanoid pathway accounts for angiosperm lignin being easier to remove during pulping than gymnosperm lignin. One reason syringyl-lignin is easier to remove during pulping, as compared to guaiacyl-lignin produced by gymnosperms, is that the C-5 carbon of the phenyl ring in syringyl-lignin is protected by methoxylation from forming a C5-C5 bond with adjacent monolignol phenyl rings. Once formed, this C-C bond is very difficult to break during delignification and the presence of these bonds accounts for the fact that gymnosperm lignin is harder to pulp than angiosperm lignin.

The inventors of the present invention theorized that if the phenylpropanoid pathway in gymnosperms could be modified such that gymnosperm plants could produce lignin containing syringyl residues, via branch 3, or a modification thereof, of the phenylpropanoid pathway, this would be of great benefit because significant reductions in the pulping costs associated with lignin removal in gymnosperms would be enabled.

However, this requires the creation of an entirely new pathway in gymnosperms, i.e., the creation of the enzymes and substrates in gymnosperm species to enable the branch 3 phenylpropanoid pathway synthesis of syringyl-lignin to proceed through to completion. This is quite different in concept from arranging for over-expression of a gene in an existing metabolic pathway, which is likely to shuttle more metabolites through the pathway, provided other steps do not become limiting.

There are numerous reports on the modification of the phenylpropanoid pathway by genetic engineering. One example is the "sense" suppression of PAL by a bean PAL2 gene in tobacco. These experiments demonstrated that PAL activity becomes rate-limiting to lignin deposition when levels are 3- to 4-fold lower than in wild-type plants (Bate et al. 1994 [2]). While PAL may hold promise for use in engineered lignin modification, it has been suggested that due to its key role in general phenylpropanoid metabolism, the interruption of PAL synthesis would also affect other biochemical pathways. In contrast, the activity of CAD, an enzyme well downstream in the lignin biosynthetic pathway, can be reduced to 10% of normal levels and still have no effect on the quantity of lignin, although clear qualitative differences are observed (Halpin et al. 1994 [12]). From these and other studies on the manipulation by genetic engineering of key enzymes in the lignin biosynthetic pathway (OMT (Dwivedi et al. 1994 [10]; Ni et al. 1994 [16]), F5H (Bell-Lelong et al. 1997, [3]), and peroxidase (Lagrimini et al. 1990

[14])), it is clear that lignin modification is possible. However, such studies also highlight how extremely difficult it is to achieve a change in lignin composition and how it is even more difficult to achieve a change that has commercial relevance. In the CAD antisense work, Halpin et al. [12] reported increased lignin extractability in only 2% of the transformed lines tested. In other words, 98% had no change despite morphological changes such as the appearance of red xylem.

Therefore, these disclosures do not specifically relate to techniques involving genetic engineering to create a lignin which is unique to the plants of interest, i.e. gymnosperms. Firstly, all the published work on the genetic engineering of plants for altered lignin has been done in angiosperms and was done to manipulate an existing endogenous enzyme and biochemical pathway. Even with this, the results were variable, and changing lignin parameters to a level such that they had commercial advantages was difficult. Secondly, the only example of lignin modification in gymnosperms where a gene for a specific enzyme in the phenylpropanoid pathway was down-regulated occurred in a naturally occurring mutant which had virtually no CAD activity (for a review see Whetton et al. 1998 [17]). In this case, genetic engineering was not used and the regulation was again dependent on natural mutation which altered the expression of an endogenous gene.

International patent application PCT/US96/20094, published on July 3, 1997 as WO 97/23599, in the name of Clint Chapple as inventor, and assigned jointly to E.I. Du Pont De Nemours and Company, and Purdue Research Foundation, discloses the nucleotide sequence of a gene encoding an F5H enzyme, the transformation of the genome of plants with the gene, and the resulting modification of lignin composition of the plants. The present application builds on this Chapple application and goes beyond, to describe

the use of this gene, either alone or in conjunction with other genes, to introduce a lignin biosynthetic pathway into gymnosperms.

DISCLOSURE OF THE INVENTION

An object of the invention is to modify gymnosperms by genetic engineering so that modified gymnosperm plants produce lignin of a type that differs from the lignin of wild-type plants of the same species and that is more easily accommodated in commercial utilization of such plants.

Another object of the invention is to modify the lignin precursors in gymnosperms to provide modified monolignol residues, and preferably, a greater content of syringyl residues, or other residues with a side group at the C-5 position of the monolignol ring.

According to one aspect of the present invention, there is provided a process of producing a transformed gymnosperm plant or plant precursor having a genome containing at least one expressible transgene that results in modification of lignin composition in the gymnosperm plant compared to an average lignin composition of untransformed wild-type plants of the same gymnosperm species, which process comprises: providing a vector containing at least one expressible transgene that results in modification of the lignin composition in the gymnosperm plant; introducing the vector into cells of a gymnosperm plant to produce transformed cells; regenerating transformed gymnosperm callus or shoots from the transformed cells; maturing embryos or plants from the transformed callus or shoots; and generating transformed plant embryos, seeds, seedlings or plants from the matured embryos.

Without wishing to limit the generality of meaning of the term "transgene", we should point out that the term is intended to include foreign DNA (transgenic or introduced genes) that is introduced into a genome of a gymnosperm plant.

According to another aspect of the invention, there is provided a transformed gymnosperm plant or plant precursor having a genome containing at least one expressible transgene that results in modification of lignin composition in the gymnosperm plant compared to an average lignin composition of untransformed wild-type plants of the same gymnosperm species.

Most preferably, the lignin of the transformed gymnosperm plant contains detectable syringyl residues, or other residues with a side group at the C-5 position of the monolignol ring, whereas the lignin of the wild-type plants contains no detectable syringyl residues or other residues with a side group at the C-5 position of the monolignol ring.

Preferably, the expressible transgenes are genes that code for enzymes required for the lignin biosynthetic pathway, and more preferably the third branch of the pathway by which branch 2 intermediates are converted to sinapyl alcohol. It is therefore to be noted that, in the present invention, at least in its preferred forms, gymnosperm plants are being genetically engineered with genes which encode at least one enzyme that is not normally present in these plants, thereby creating a branch to an existing pathway in gymnosperm plants. The invention therefore differs considerably from prior art procedures that have merely involved the modification of existing pathways in angiosperm plants utililizing enzymes already present in the wild-type plants.

Most preferably, the transgene(s) introduced into the gymnosperm plants includes a ferulate 5-hydroxylase gene, or a transgene that is substantially homologous to said ferulate 5-hydroxylase gene, or a transgene that has an equivalent function, either alone or in conjunction with other genes needed for the biosynthesis of a lignin, i.e. that results in a lignin composition containing syringyl residues. By a "gene that is substantially homologous to said ferulate 5-hydroxylase gene", we mean a gene which can be shown to have ferulate 5-hydroxylase activity in yeast or having at least 50% homology, and more preferably at least 75% homology, to the F5H gene while exhibiting an ability to modify the lignin content of the gymnosperm plant *in vivo*.

The ferulate 5-hydroxylase gene (or equivalent gene) either alone or in conjunction with other genes, are normally operably linked with at least one regulatory sequence, e.g. cauliflower mosaic virus 35S promoter, a promoter for a phenylalanine ammonia lyase gene, a promoter for a p-coumaryl CoA ligase gene, a promoter for cinnamate 4-hydroxylase or other plant promoters capable of controlling expression of plant genes.

The gymnosperm plants produced by the present invention are preferably from the order *coniferales*. Thus, they may be from the *Picea* species (e.g. *Picea glauca, Picea sitchesis*, or *Picea engelmanii*), or from the *Pinus* species (e.g. *Pinus taeda* or *Pinus radiata*).

According to another aspect of the invention, there is provided a biomass derived from a genetically transformed gymnosperm plant, said biomass containing lignin having syringyl residues, or other residues with a side group at the C-5 position of the monolignol ring, and said transformed plant having an untransformed (wild-type) natural plant whose lignin contains no syringyl residues.

A still further aspect of the invention relates to a method of producing cellulose-containing pulp useful for papermaking and the like, which comprises a lignin-containing biomass derived from a gymnosperm plant to produce pulped mass containing lignin, and removing most of said lignin from said pulped mass, characterized in that said gymnosperm plant is a genetically transformed plant producing lignin containing syringyl residues or other residures with a side group at the C-5 position of the monolignol ring.

As will be appreciated from the above, the present invention is capable of producing transformed gymnosperm plants having a modified lignin content that makes gymnosperm plants more attractive on a commercial and industrial scale.

BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 is a diagram showing the basic lignin biosynthetic pathway, the enzyme abbreviations being as described in this application, and the suggested induced pathway(s) being highlighted (the inserted box indicates the numbering in the phenyl ring). Note the three branches of the phenylpropanoid pathway (labeled 1), 2) and 3)): branch 1 yields the monolignol p-coumaryl alcohol, present in some angiosperms and gymnosperms; branch 2 yields the monolignol coniferyl alcohol, which is present in both angiosperms and gymnosperms yet is the predominant monolignol in gymnosperms; and branch 3 yields sinapyl alcohol predominant and present only in angiosperms, with very few exceptions.

Figure 2 is a graph showing the mean height growth in 1997 from three different transformed lines derived from two different parental genotypes of F5H-transformed and control (non-transformed) interior spruce somatic

seedlings (note F5H 2d-1 and 2d–2 are two replicate sets of somatic seedlings planted 2 weeks apart);

Figure 3 shows the result of a PCR amplification of a 750 bp arabidopsis F5H fragment using the primer pair cc8/cs278 from 14 Putative Transformed Lines (lanes 1-14); a Non-Transformed I1026 Negative Control (lane 15); a Plasmid only p482-F5H = pCC87Positive Control (lane 16); a Plasmid only pBIC-F5H = pBIC20F5H, Control (lane 17); a Blank, no DNA Negative Control (lane 18); and Molecular Weight (MW) Markers (lane 19); and

Figure 4 shows the genomic nucleotide and amino acid sequences of a known Arabidopsis F5H gene and the F5H enzyme that it encodes (as disclosed in Chapple, WO 97/23599).

BEST MODES FOR CARRYING OUT THE INVENTION

As previously noted, the difficulty in lignin removal in all plants is due to the variety of linkages formed between monolignol precursors during lignin polymerization, which linkages account for lignin polymers being highly heterogeneous. This heterogeneity in lignin and the linkages formed during polymerization have a large influence on the pulping characteristics of wood. For example, the presence of the C-5 methoxylated syringyl residues make hardwood lignin easier to hydrolyze during pulping, while a higher proportion of condensed ρ-hydroxyphenyl residues makes softwood hydrolysis more difficult (Campbell and Sederoff 1996 [6]). This is due in part to the unprotected C-5 group characteristic of ρ-hydroxyphenyl and guaiacyl residues typical of softwoods, accounting for the relatively slower delignification rate of the softwoods (Chiang and Funaoka 1990 [8]).

Any modification of this complex polymer requires an understanding of the metabolic pathway. Fortunately, many steps in the lignin biosynthetic pathway are well understood (Davin et al. 1992[9]). The basic phenylpropanoid pathway is shown in accompanying Figure 1. The pathway begins with the conversion of L-phenylalanine to cinnamic acid, by phenylalanine ammonia-lyase (PAL) followed by the conversion of cinnamate to 4-coumarate by cinnamate 4-hydroxylase (C4H). 4-Coumarate has several potential metabolic fates and these account for pathways to the three monolignol precursors. Thus, 4-coumarate can enter into one of the three monolignol branches of the phenylpropanoid pathway shown in Figure 1 as follows:

Branch 1) Present in both angiosperms and gymnosperms where 4-coumarate is activated to 4-coumaryl-CoA in a reaction catalyzed by 4-coumaryl-CoA ligase (4CL), and reduced by hydroxycinnamyl-CoA reductase (CCR) and cinnamyl alcohol: NAD oxidoreductase (CAD) to 4-hydroxycinnamyl alcohol (ρ -coumaryl alcohol), the first of the three monomeric lignin precursors;

Branch 2) Present in both angiosperms and gymnosperms where 4-coumerate is either: A) 3-hydroxylated and 3-O-methylated to form ferulic acid, followed by activation by 4CL, and reduced by CCR and CAD to yield 3-methoxy-4-hydroxycinnamyl alcohol (coniferyl alcohol), the major lignin precursor in conifers; or B) activated to 4-coumarly-CoA which is subsequently 3-hydroxylated and 3-O-methylated to form feruloyl-CoA, which is then reduced by both CCR and CAD to yield 3-methoxy-4-hydroxycinnamyl alcohol; and

Branch 3) Present only in angiosperms where 4-coumarate is modified as in branch 2); however, either: A) ferulic acid undergoes a ring-hydroxylation by ferulate 5-hydroxylase (F5H) and O-methylation by an O-methyltransferase (OMT) to generate sinapic acid, which is reduced to yield sinapyl alcohol, the source of the syringyl residues typical in angiosperms; or B) proceeds through branch 2 to coniferaldehyde and then to 5-hydroxyconiferaldehyde to sinapaldehyde to sinapyl alcohol; or C) proceeds through branch 2 to coniferaldehyde and then to 5-hydroxyconiferyl alcohol to sinapyl alcohol.

The present invention involves the genetic engineering of gymnosperms to introduce one or more functional genes encoding one or more enzymes that results in a modification of the lignin composition of a gymnosperm plant that makes the gymnosperm plant or plant products more commercially desirable. The modification of gymnosperms with genes for any of the enzymes capable of affecting the phenylpropanoid pathway is within the scope of the invention, provided such genes modify the lignin composition of gymnosperm plants to make the plants more commercially desirable. Preferably, the transgene creates a Branch 3 metabolic pathway, or other residues with a side group at the C-5 position of the monolignol ring, and most preferably one of the genes encodes ferulate 5-hydroxylase (F5H). As noted above, this enzyme is thought to be absent in most gymnosperms (with few exceptions) and is one of the key enzymes missing in conifers which accounts for the difference between angiosperm and gymnosperm lignin (Campbell and Sederoff 1996 [6]). The exceptions are very few as previously noted and include reports of syringyl lignin in the non-coniferales gymnosperm species *Podocarpus* and in some species of the *Gnetales*. These exceptions do not, however, detract from the invention as the vast

number of gymnosperms do not produce syringyl lignin and these exceptions are mentioned in a very minor way, if at all in the literature on the subject.

The inventors have been successful in expressing the F5H gene in spruce (a gymnosperm) and have transformed lines containing this transgene in conjunction with other transgenes in the lignin biosynthetic pathway. Since the inventors have demonstrated expression of the F5H gene in spruce, they believe that its expression in other gymnosperm species is predictable since this clearly shows that not only the F5H gene can be expressed in gymnosperms, but also that its expression can modify lignin in plants which do not contain a pathway for syringyl lignin.

Although not conclusive, support that this single enzyme (F5H), either alone or in conjunction with other enzymes, will alter gymnosperm lignin comes from the fact that mutants of the angiosperm *Arabidopsis* which lack this enzyme produce lignin similar in composition to gymnosperms (Chapple et al. 1992), suggesting the lack of this one enzyme, alone or in conjunction with other enzymes, can account for the difference in lignin composition in an angiosperm where a branch of the phenylpropanoid pathway to guaiacyl-containing lignin already exists.

As noted above, the F5H gene is known and described, e.g. in PCT publication WO 97/23599 on July 3, 1997. The disclosure of this publication is specifically incorporated herein by reference. For convenience, the nucleotide sequence of the F5H gene from *Arabidopsis* and the amino acid sequence of the F5H enzyme is shown in Figure 4 of the accompanying drawings.

The F5H gene can be obtained from an angiosperm species, e.g. *Arabidopsis thaliana,* DNA either by polymerase chain reaction (PCR) using

primers designed to the 5' and 3' ends of the published F5H sequence in Figure 4, or by plasmid rescue of the *fah*1 mutant and complementation as was done by Meyer et al. (1996[15]). The PCR amplified product can then be used to identify the native gene from either a genomic or cDNA library and the gene can be subsequently cloned by standard gene cloning techniques. The isolation of the gene by PCR or from the *fah*1 mutant is believed to be within the competence of any person skilled in the art, so that further explanation is unnecessary. Similar techniques can and have been used to isolate other genes in the lignin biosynthetic pathway which can be used in conjunction with an F5H gene to modify lignin in gymnosperms.

Several constructs of the F5H gene were obtained as explained in the PCT publication mentioned above. These constructs include either genomic and cDNA F5H genes controlled by a cauliflower mosaic virus (CaMV) 35S or cinnimate 4-hydroxylase (C4H) promoter, as well as a C4H-GUS construct to test the expression pattern of the C4H promoter, as well as an OMT construct used in conjunction with F5H and a construct containing an F5H-OMT translational fusion. These and other constructs used in this invention are listed below:

pGA482-F5H = pCC87	a pGA482-based vector containing a CaMV 35S-genomic F5H construct;
pBIC-F5H = pBIC20-F5H	a pBIC20-based vector containing an 18kb genomic fragment containing both the F5H promoter and coding region;
pCC98	a pBI121-based vector containing a CaMV 35S-cDNA F5H construct;

pCC223	a pBI101-based vector containing a C4H-GUS construct for xylem directed expression of GUS;
pC4H-F5H = pCC153	a pGA482-based vector containing a C4H-genomic F5H construct; and
pCC99	a pGA482-based vector containing a double-CaMV 35S-genomic F5H construct.
parabOMT	a pUC based vector containing a CaMV 35S-OMT construct used for co-blasting with pCC99.
pF5H-OMT	a pBINPLUS derived vector containing a double-CaMV 35S-F5H-OMT translational fusion.

Starting materials for such vectors are in common use for the construction of plant transformation vectors and are generally available around the world from various labs. The pBI- series is commercially available from Clontech. The pGA482 vector is described in 1987 Methods Enzymol 153:292-305 and is widely used for plant transformation. The pBIC20is a binary cosmid vector described by Meyer et al. 1996, in Genome Mapping in Plants, ed. Paterson, A.H. (Landis Biochemical Press, Austin, TX). Construction of the pGA482-F5H and pBIC20-F5H plasmids are detailed in Meyer et al., 1996, PNAS, 93.6869-6874 and both are available from that source (Chapple). The other F5H and OMT constructs were made using similar techniques.

As seen in the PCT publication mentioned above, the CaMV 35S constructs have been used successfully to modify lignin content in both *Arabidopsis* and tobacco and were included in the present invention to give ectopic expression of the F5H gene in spruce. The C4H promoter constructs should

direct expression to the xylem, the principal target tissue for lignin modification. Because the C4H promoter was isolated from an *Arabidopsis* C4H gene, its expression - as well as the expression of the native C4H gene - in gymnosperms was previously unknown. The OMT constructs were included to ensure, if needed, the O-methylation of the 5-hydroxylated branch 2 intermediates.

To initiate transformation experiments, the plasmids were transformed into *E. coli* and were subsequently purified by CsCl gradient centrifugation. Each plasmid was checked by restriction digest to confirm its identity. Standard procedures were used for coating gold particles with the plasmids and for microprojectile bombardment of spruce somatic embryos. Regeneration of transformed spruce callus was done on a very low level of kanamycin (2–5μg/ml) and embryo maturation was done using routine protocols for spruce.

Over 10,000 spruce embryos were blasted with the various constructs and over 500 transformed seedlings from over 50 transformed lines have been planted in the greenhouse. No abnormal phenotypes or altered growth patterns have been detected in any of the transformed embryogenic callus lines or seedlings. The results of these experiments are summarized in Table 1 below.

Table 1

Information regarding tested constructs

CONSTRUCT	# KANAMYCIN RESISTANT LINES	# CONFIRMED PCR POSITIVE LINES	# CONFIRMED SOUTHERN POSITIVE LINES	# CONFIRMED NORTHERN POSITIVE LINES	# OF LINES WITH SEEDLINGS REGENERATED
pCC87 35S-gF5H	16	16	8	5	18
pBIC20-F5H F5H-gF5H	6	Inconclusive	Inconclusive	Inconclusive	6
pCC98 35S-cF5H	5	2 – Inconclusive	2	nd	1
pCC223 C4H-GUS	6	5	3	ND	5
pCC153 C4H-gF5H	16	10	6	2	12
pCC99 2X 35S-gF5H	20	19	3	17	18
pCC99+ parabOMT	11	Nd	nd	nd	0
Total	80	47	22	24	60

Figure 2 of the accompanying drawings shows the mean height growth of three different F5H transformed lines from two different parental embryogenic genotypes compared with non-transformed somatic seedlings over the growing season. Transformed line I1026 2d is represented by two lots of somatic seedlings planted two weeks apart.

A set of six nested primers for the F5H gene were obtained and tested for amplification of the F5H gene from pCC87.The primer pair consisting of cc8 and cs278 were used to amplify a band of approximately 750bp from the genomic F5H gene.

Figure 3 confirms integration by PCR of the Arabidopsis F5H in 14 different putative F5H transformed embryogenic callus lines (lanes 1–14). A band of approximately 300bp in all lanes including the blank (lane 18) and the non-transformed I1026 control (lane 15), suggests that this fragment is a non-specific amplification product. The band of interest, a 750bp amplification product, is very prominent as expected in the pCC87 plasmid only lane (lane 16) and is absent from both the blank and the non-transformed control. Note the presence of a 750bp band in DNA samples from 10 transformed lines (lanes 1,3,6,7,8,9,11,12,13,14) including the three transformed lines which have somatic seedlings in the greenhouse. The absence of the 750bp band in the remaining putative transformed lines could indicate that these lines are non-transformed escapes, or that the DNA preparation from these lines was poor. This later suggestion is supported by the lack of other background bands in these lanes (lanes 2,4,5,10).

Northern blot analyses have confirmed strong expression of the F5H gene in spruce and Southern blot analysis of transformed lines have conclusively confirmed the PCR results for integration of the inserted DNA into the spruce genome (Table 1).

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The disclosures of all of the above publications are specifically incorporated herein by reference.

CLAIMS:

1. A process of producing a transformed gymnosperm plant or plant precursor having a genome containing at least one expressible transgene that results in modification of lignin composition in the gymnosperm plant compared to an average lignin composition of untransformed wild type plants of the same gymnosperm species, which process comprises:

providing a vector containing at least one expressible transgene that results in modification of the lignin composition in the gymnosperm plant;

introducing said vector into cells of a gymnosperm to produce transformed cells;

regenerating transformed gymnosperm callus or shoots from the transformed cells;

maturing embryos from the transformed callus or shoots; and

generating transformed plant embryos, seeds, seedlings or plants from the matured embryos or shoots.

2. A process according to claim 1, characterized in that said vector is provided with said at least one expressible transgene that encodes at least one enzyme affecting the phenylpropanoid pathway leading to the synthesis of lignin.

3. A process according to claim 1, characterized in that said vector is provided with said expressible transgene that encodes at least one enzyme enabling the production of sinapyl alcohol or other residues with a side group at the C-5 position of a monolignol ring during the biosynthesis of lignin.

4. A process according to claim 1, characterized in that said vector is provided with said at least one expressible transgene that encodes at least one enzyme enabling the production of lignin containing syringyl residues or other residues with a side group at the C-5 position of a monolignol ring.

5. A process according to claim 4, characterized in that said vector is provided with an expressible transgene encoding ferulate 5-hydroxylase, or a transgene that has substantially equivalent function to said ferulate 5-hydroxylase gene, either alone or in conjunction with other genes involved in lignin biosynthesis.

6. A process according to claim 5, characterized in that one of the said substantially homologous gene has at least 50% homology with said ferulate 5-hydroxylase gene.

7. A process according to claim 5, characterized in that said substantially homologous gene has at least 75% homology with said ferulate 5-hydroxylase gene.

8. A process according to any preceding claim, characterized in that said gymnosperm plant is from the order coniferales.

9. A process according to any preceding claim, characterized in that said gymnosperm plant is from the species *Picea*.

10. A process according to claim 9, characterized in that said plant is *Picea glauca, Picea sitchesis*, or *Picea engelmanii*.

11. A process according to any one of claims 1 to 8, characterized in that said gymnosperm plant is from the species *Pinus*.

12. A process according to claim 11, characterized in that said gymnosperm plant is *Pinus taeda* or *Pinus radiata*.

13. A process according to claim 5, characterized in that said ferulate 5-hydroxylase gene is operably linked with at least one regulatory sequence.

14. A process according to claim 13, characterized in that said regulatory sequence is cauliflower mosaic virus 35S promoter, a promoter for a phenylalanine ammonia lyase gene, a promoter for a p-coumaryl CoA ligase gene, a promoter for cinnamate 4-hydroxylase, or another plant promoter capable of controlling expression of plant genes.

15. A transformed gymnosperm plant or plant precursor having a genome containing at least one expressible transgene that results in modification of lignin composition in the gymnosperm plant compared to an average lignin composition of untransformed wild type plants of the same gymnosperm species.

16. A gymnosperm plant or plant precursor according to claim 15, characterized in that said plant has a genome containing at least one expressible transgene that encodes at least one enzyme enabling the production of sinapyl alcohol, or other residue with a side group at the C-5 position of a monolignol ring, during the biosynthesis of lignin.

17. A gymnosperm plant or precursor according to claim 15, characterized in that the plant or plant precursor has a genome containing an

expressible transgene that results in a lignin composition containing syringyl residues, or other residue with a side group at the C-5 position of a monolignol ring.

18. A gymnosperm plant or precursor according to claim 15, characterized in that said at least one expressible transgene is a gene encoding ferulate 5-hydroxylase, or a transgene that has substantially equivalent function to said ferulate 5-hydroxylase gene, either alone or in conjunction with other genes involved in lignin biosynthesis.

19. A gymnosperm plant or precursor according to claim 18, characterized in that said substantially homologous gene has at least 50% homology with said ferulate 5-hydroxylase gene.

20. A gymnosperm plant or precursor according to claim 18, characterized in that said substantially homologous gene has at least 75% homology with said ferulate 5-hydroxylase gene.

21. A gymnosperm plant or precursor according to claim 15, characterized in that said gymnosperm plant is from the order coniferales.

22. A gymnosperm plant or precursor according to claim 15, characterized in that said gymnosperm plant is from the species *Picea*.

23. A gymnosperm plant or precursor according to claim 22, characterized in that said plant is *Picea glauca, Picea sitchesis*, or *Picea engelmanii*.

24. A gymnosperm plant or precursor according to claim 15, characterized in that said gymnosperm plant is from the species *Pinus*.

25. A gymnosperm plant or precursor according to claim 24, characterized in that said gymnosperm plant is *Pinus taeda* or *Pinus radiata*.

26. A gymnosperm plant or precursor according to claim 18, characterized in that said ferulate 5-hydroxylase gene is operably linked with at least one regulatory sequence.

27. A gymnosperm plant or precursor according to claim 26, characterized in that said regulatory sequence is a cauliflower mosaic virus 35S promoter, a promoter for a phenylalanine ammonia lyase gene, a promoter for a p-coumaryl CoA ligase gene, a promoter for cinnamate 4-hydroxylase, or any other plant promoter capable of controlling expression of plant genes.

28. A biomass derived from a genetically transformed gymnosperm plant, said biomass containing lignin having syringyl residues, or other residue with a side group at the C-5 position of a monolignol ring, and said transformed plant having an untransformed natural wild-type plant whose lignin contains no syringyl residues, or corresponding other residues with a side group at the C-5 position of a monolignol ring.

29. A biomass according to claim 28, resulting from growing and harvesting a genetically transformed plant or plant precursor as defined in any one of claims 15 to 27.

30. A method of producing a cellulose-containing pulp useful for papermaking and the like, which comprises finely dividing a lignin-containing biomass derived from a gymnosperm plant to produce pulped mass containing lignin, and removing at least some of said lignin from said pulped mass, characterized in that said gymnosperm

plant is a genetically transformed plant producing lignin containing syringyl residues or other residues with a side group at the C-5 position of a monolignol ring.

31. A process of producing a transformed gymnosperm plant or plant precursor having a genome containing at least one expressible transgene that results in production of at least one residue of a lignin biosynthetic pathway having a hydroxy group at the C-5 position of a monolignol ring, which process comprises:

providing a vector containing at least one expressible transgene that results in production of at least one residue having a hydroxy group at the C-5 position of a monolignol ring;

introducing said vector into cells of a gymnosperm to produce transformed cells;

regenerating transformed gymnosperm callus or shoots from the transformed cells;

maturing embryos from the transformed callus or shoots; and

generating transformed plant embryos, seeds, seedlings or plants from the matured embryos or shoots.

32. A process of producing a transformed gymnosperm plant or plant precursor having a genome containing at least one expressible transgene encoding an enzyme enabling hydroxylation at the C-5 position of a monolignol ring of at least one residue in a lignin biosynthetic pathway, which process comprises:
providing a vector containing at least one expressible transgene encoding an enzyme enabling hydroxylation at the C-5 position of a monolignol ring of at least one residue;

introducing said vector into cells of a gymnosperm to produce transformed cells;

regenerating transformed gymnosperm callus or shoots from the transformed cells;

maturing embryos from the transformed callus or shoots; and

generating transformed plant embryos, seeds, seedlings or plants from the matured embryos or shoots.

33. The process of claim 32, wherein the enzyme is selected from the group comprising ferulate-5-hydroxylase and homologs thereof.

34. A process of producing a transformed gymnosperm plant or plant precursor having a genome containing at least one expressible transgene that results in hydroxylation of at least one residue of a lignin biosynthetic pathway at the C-5 position of a monolignol ring, which process comprises:

providing a vector containing at least one expressible transgene that results in hydroxylation of at least one residue at the C-5 position of a monolignol ring;

introducing said vector into cells of a gymnosperm to produce transformed cells;

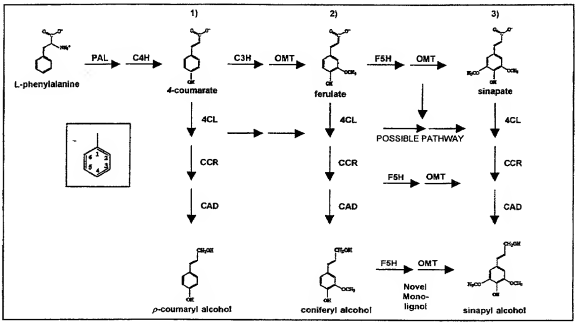
regenerating transformed gymnosperm callus or shoots from the transformed cells;

maturing embryos from the transformed callus or shoots; and

generating transformed plant embryos, seeds, seedlings or plants from the matured embryos or shoots.

35. A transformed gymnosperm plant or plant precursor having a genome containing at least one expressible transgene that results in hydroxylation of at least one residue of a lignin biosynthetic pathway at the C-5 position of a monolignol ring.

36. A transformed gymnosperm plant or plant precursor having a genome containing at least one expressible transgene that encodes at least one enzyme enabling the production of a residue of a lignin biosynthetic pathway with a side group at the C-5 position of a monolignol ring, during the biosynthesis of lignin.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2)
3)
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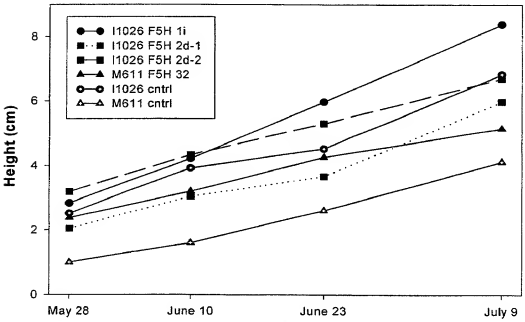
PAL
C4H
4-coumarate
C3H
OMT
ferulate
F5H
OMT
sinapate
4CL
CCR
CAD
POSSIBLE PATHWAY
F5H
OMT
p-coumaryl alcohol
coniferyl alcohol
F5H
OMT
Novel Mono-lignol
sinapyl alcohol

Fig. 1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I1026 F5H 2d-1
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M611 F5H 32
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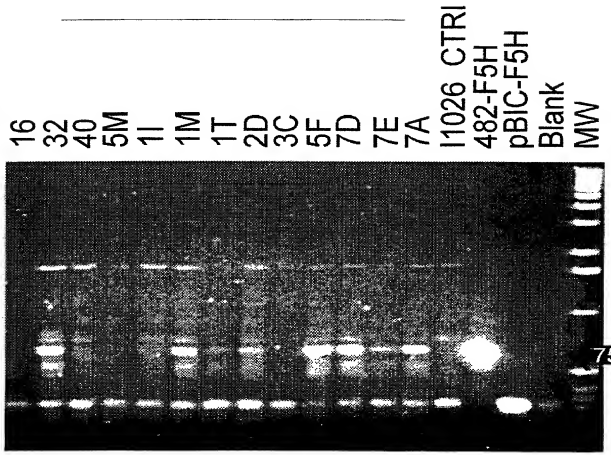
4
6
8
May 28
June 10
June 23
July 9

Fig. 2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pBIC-F5H
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MW
750

FIG. 3

```
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Fig. 4

PTO/SB/01 (03-01)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

☐ Declaration Submitted with Initial Filing OR ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	205502-9004
First Named Inventor	ELLIS, David Dunham
COMPLETE IF KNOWN	
Application Number	PCT/CA00/00074
Filing Date	31 JAN 2000
Group Art Unit	
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MODIFICATION OF LIGNIN COMPOSITION OF GYMNOSPERMS

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 31 JAN 2000 as United States Application Number or PCT International Application Number PCT/CA00/00074 and was amended on (MM/DD/YYYY) _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
PCT/CA00/00074	CANADA	01/31/2000	☐	☐	☐
60 / 118,124	US	01 FEB 1999	☐	☐	☐
			☐	☐	☐
			☐	☐	☐

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

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DECLARATION — Utility or Design Patent Application

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])	Family Name or Surname
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Inventor's Signature: [signature] Date: Nov 27, 2001

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Mailing Address: 4887 5th Avenue

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NAME OF SECOND INVENTOR: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])	Family Name or Surname
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Inventor's Signature: [signature] Date:

Residence: City	State	Country	Citizenship
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☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

Please type a plus sign (+) inside this box → [+]

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DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 3 of 3

Name of Additional Joint Inventor, if any:	☐ A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])	Family Name or Surname		
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Inventor's Signature M Gilbert			Date NOV. 27, 2001
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Mailing Address #38–23085 118 Avenue			
Mailing Address			
City Maple Ridge	State B.C.	ZIP V2X 3J7	Country CANADA

Name of Additional Joint Inventor, if any:	☐ A petition has been filed for this unsigned inventor		
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Inventor's Signature			Date
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Mailing Address			
Mailing Address			
City	State	ZIP	Country

Name of Additional Joint Inventor, if any:	☐ A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])	Family Name or Surname		
Inventor's Signature			Date
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	ZIP	Country

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Chicago	Illinois	60611

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NAME OF SOLE OR FIRST INVENTOR: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])	Family Name or Surname
David Dunham	ELLIS

Inventor's Signature _____ Date _____

Residence: City	State	Country	Citizenship
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NAME OF SECOND INVENTOR: ☐ A petition has been filed for this unsigned inventor

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Inventor's Signature Clinton Charles Spencer Chapple Date Feb. 4, 2002

Residence: City	State	Country	Citizenship
West Lafayette	Indiana	USA	

Mailing Address: 2210 Robinhoold Lane

City	State	ZIP	Country
West Lafayette	Indiana	47906-5029	USA

☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.